

K.S.A. 44-551(b) provides that the Appeals Board shall not review a pending Preliminary Hearing Order entered by the Administrative Law Judge unless it is alleged the Administrative Law Judge exceeded his or her jurisdiction in granting or denying the relief requested.

K.S.A. 44-534a(a)(2) grants the Administrative Law Judge the authority to make findings in granting or denying temporary total disability compensation and ongoing medical treatment.

The decision by the Administrative Law Judge in ordering claimant to be paid temporary total disability and allowing Dr. Sharon McKinney to continue as claimant's authorized treating physician are orders permitted by K.S.A. 44-534a to be decided by the Administrative Law Judge. As such, the Appeals Board finds no authority for this matter to be appealed either pursuant to K.S.A. 44-534a or K.S.A. 44-551 and the Appeals Board does not have the jurisdiction to review this matter.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Order of Administrative Law Judge Floyd V. Palmer dated March 27, 1995, remains in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of July, 1995.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: John J. Bryan, Topeka, Kansas
John H. Thompson, Kansas City, Missouri
Floyd V. Palmer, Administrative Law Judge
George Gomez, Director